

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MAURICE SPEARMAN,

Plaintiff,

v.

Case No. 04-72414

RAY BOWERSON, et al.,

Honorable Arthur J. Tarnow
United States District Judge

Defendant.

Magistrate Judge R. Steven Whalen

**ORDER DENYING PLAINTIFF'S MOTION FOR RELIEF FROM MAGISTRATE'S
ORDER [31],
DENYING PLAINTIFF'S MOTION FOR RELIEF FROM ORDER [33],
AND DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION TO FILE A
SUPPLEMENTAL COMPLAINT [34]**

Before the Court are two motions that seek relief under Federal Rule of Civil Procedure 60(b), Plaintiff's Motion for Relief from Judgment [31] from the Magistrate's August 25, 2005 Order and Plaintiff's Motion for Relief from Judgment [33] from the Court's September 15, 2005 Order Adopting the Magistrate's Report and Recommendation. Rule 60(b) grants a district court authority to grant relief from a judgment, order, or proceeding under certain delineated circumstances. Having considered Plaintiff's Motions and Briefs in Support, the Court is unpersuaded that relief from the judgments is warranted.

IT IS HEREBY ORDERED that Plaintiff's Motion for Relief from Judgment [31] from the Magistrate's Order and Plaintiff's Motion for Relief from Judgment [33] from this Court's Order are **BOTH DENIED**.

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IT IS FURTHER ORDERED that Plaintiff's Motion to File a Supplemental Complaint
[34]is **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: October 3, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on
October 3, 2005, by electronic and/or ordinary mail.

s/Theresa E. Taylor
Case Manager